

MITIGATION MONITORING AND REPORTING PROGRAM

Little Lake Aqueduct Crossover Project Mitigated Negative Declaration (State Clearinghouse No. 2023110035)

Introduction

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines to provide for monitoring of the mitigation measures required by certification of the Little Lake Aqueduct Crossover Project (proposed project) Mitigated Negative Declaration (MND). Section 21081.6 of the Public Resources Code and Section 15091(d) of the CEQA Guidelines require public agencies to “adopt a reporting or monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.” The lead agency must define specific reporting and/or monitoring requirements to be enforced during project implementation prior to final approval of the proposed project.

The Los Angeles Department of Water and Power (LADWP) is the lead agency for the proposed project and is responsible for administering and implementing the MMRP. The MMRP stipulates how all required mitigation measures are to be implemented and completed during the appropriate project phase. It also facilitates documentation necessary to verify that mitigation measures were in fact properly implemented.

Mitigation Monitoring and Reporting Program Procedures

This MMRP gives LADWP the primary responsibility for taking all actions necessary to implement the mitigation measures according to the specifications provided for each measure and for demonstrating that the action has been successfully completed. LADWP’s designated environmental monitor will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to remedy problems. LADWP, at its discretion, may delegate responsibility for measure implementation and monitoring, or portions thereof, to other responsible individuals, such as a licensed contractor. Specific responsibilities for LADWP include:

- Coordination of all mitigation monitoring activities
- Management of the preparation, approval, and filing of monitoring or permit compliance reports
- Maintenance of records concerning the status of all approved mitigation measures
- Quality control assurance of field monitoring personnel
- Coordination with other agencies regarding compliance with mitigation or permit requirements
- Reviewing and recommending acceptance and certification of implementation documentation
- Acting as a contact for interested parties or surrounding property owners who wish to register complaints, observations of unsafe conditions, or environmental violations; verifying any such circumstances; and developing any necessary corrective actions

Resolution of Noncompliance Complaints

Any person or agency may file a complaint regarding noncompliance with the mitigation measures addressed in the MMRP. The complaint shall be directed to LADWP (111 North Hope Street, Room 1044, Los Angeles, CA 90012) in written form providing detailed information on the purported violation. LADWP will investigate any complaints filed to determine the validity of the complaint. If noncompliance with a mitigation measure is verified, LADWP will take the necessary action(s) to remedy the violation. The complainant will receive written confirmation indicating the results of the investigation or the final corrective action that was implemented in response to the specific noncompliance issue.

Mitigation Monitoring and Reporting Program Matrix

The MMRP is organized in a matrix format. The first column identifies the mitigation measure number. The second column identifies the mitigation measure. The third column, entitled "Time Frame for Implementation," refers to when monitoring will occur. The timing for implementing mitigation measures and the definition of the approval process has been provided to assist LADWP staff to plan for monitoring activities. The fourth column, entitled "Responsible Monitoring Agency," refers to the agency responsible for ensuring that the mitigation measure is implemented. The fifth column, entitled "Verification of Compliance," has subcolumns for initials, date, and remarks. This last column will be used by the lead agency to document the person who verified that the mitigation measure was satisfactorily implemented, the date on which this verification occurred, and any other notable remarks. The mitigation measures are presented by environmental issue area.

**Mitigation Monitoring and Reporting Program
State Clearinghouse No. 2023110035**

**Little Lake Aqueduct Crossover Project
Mitigated Negative Declaration**

Number	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
BEST MANAGEMENT PRACTICES						
BMP	Water Trucks - Water trucks would spray roadway travel surfaces on existing and temporary roads used for construction and soil stockpiles.	During construction	LADWP			
BMP	High Wind Events - Work activities would be stopped during high wind events.	During construction	LADWP			
BMP	Cultural Resources Awareness Training - All field supervisors and all construction workers shall participate in training on cultural resources awareness prior to the initiation of project construction on project sites that involve ground-disturbing activities. The training shall include a description of the types of cultural resources (including tribal cultural resources and human remains) that could inadvertently be encountered during ground-disturbing activities, the sensitivity of the resources, the legal basis for protection of the resources, and the penalties for unauthorized collection of or knowingly damaging the resources. The training shall address the proper procedures in the event of an inadvertent discovery of a cultural resource, including the immediate halting of work in the area of the discovery, notification of appropriate individuals of the discovery, the establishment of appropriate protective buffer zones around the discovery, and the continued avoidance of the protected area until the resource has been evaluated by qualified individuals and an	Prior to and during construction	LADWP			

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	appropriate treatment plan has been developed and implemented. These procedures shall be documented in a cultural resources monitoring plan (CRMP) that shall establish, in the event of inadvertent discovery of cultural resources, monitoring procedures (including potential Native American monitors), notification procedures, key staff, and preliminary treatment measures for potential discoveries. The CRMP shall be written to ensure compliance with appropriate state and federal laws. The training presentation and CRMP shall be available to additional supervisory or construction personnel who may join after project construction has begun.					
BMP	Unanticipated Discoveries - In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, evaluates the significance of the find and determines whether or not additional study is warranted. Should it be required, temporary flagging may be installed around a resource to avoid any disturbances from construction equipment. Depending upon the significance of the find under CEQA (14 California Code of Regulations Section 15064.5(f); PRC Section 21082), the archaeologist may record the find to appropriate standards (thereby addressing any data potential) and allow work to continue. If the archaeologist observes the discovery to be potentially significant under CEQA, additional work, such as preparation of an archaeological	During construction	LADWP			

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	treatment plan, testing, or data recovery, may be warranted. Work in the area may resume once evaluation and treatment of the resource is completed or the resource is recovered and removed from the site.					
BMP	Unanticipated Human Remains - In the event that human remains are inadvertently encountered during ground disturbing activities, they would be treated consistent with state and local regulations including California Health and Safety Code Section 7050.5, California Public Resources Code Section 5097.98, and the California Code of Regulations Section 15064.5(e). In accordance with these regulations, if human remains are found, the County Coroner must be immediately notified of the discovery. No further excavation or disturbance of the project site or any nearby (no less than 100 feet) area reasonably suspected to overlie adjacent remains can occur until the County Coroner has determined if the remains are potentially human in origin. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she is required to notify the Native American Heritage Commission (NAHC) that shall then notify those persons believed to be the most likely descendant. The most likely descendant shall determine, in consultation with the property owner, the disposition of the human remains.	During construction	LADWP			
BMP	Biological Resources Worker Environmental Awareness Program. All field related project personnel, including LADWP employees, contractors, and subcontractors, shall be required to attend a worker environmental awareness program (WEAP) prior to	Prior to and during construction	LADWP			

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	<p>construction. The WEAP shall be conducted prior to ground disturbance. WEAP training shall consist of a presentation from the qualified biologist that includes, but is not limited to, the following information about the plant and wildlife species: a brief review of special-status species and other sensitive resources that could exist in the project area (including their life history and habitat requirements), the locations of sensitive biological resources, their sensitivity to human activities, their legal status and protection under the U.S. Endangered Species Act of 1973 and the California Endangered Species Act (Sections 2080-2080.5 of the California Fish and Game Code), penalties for violating these laws and regulations, and project-specific protective measures. The program shall also include a discussion about the protections afforded to waterways, specifically the ephemeral washes that occur around the project area. The qualified biologist shall provide interpretation for non-English speaking workers, and the same instruction shall be provided for any new workers before their performing work in the project area. Upon completion of the program, employees shall sign a form stating they attended the program and understand all protection measures.</p>					
BMP	<p>Nesting Bird Surveys. Prior to start of construction, between January 1 and September 30, a nesting bird survey of the project area and a 90-meter (300 foot) buffer shall be conducted by a qualified biologist. Surveys will focus on all nest types (e.g., ground, cavity, shrub/vegetation, etc). If a breeding activity is observed (e.g., singing,</p>	Prior to and during construction				

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	<p>courtship, territorial displays, mate guarding, nest building, food carry, or the presence of a nest with eggs or young), the area will be surveyed to determine the nesting status in the project area or within the 90-meter buffer. Nests will be monitored from a distance using binoculars or a spotting scope to minimize nest disturbance and avoid attracting predators to the nest. If the qualified biologist determines that the nesting bird is exhibiting signs of stress or agitation as a result of project activities, a buffer will be established. The qualified biologist shall establish an appropriately sized buffer around the nest on a case-by-case basis. The buffers will be established by the qualified biologist based on nesting species, individual/pair's behavior and sensitivity to disturbance, nesting stage, nest location (human activity within line of sight, such as vehicles, pedestrians, and noise), and intensity and duration of the disturbance activity. Buffers will be delineated in such a way that predators are not drawn to the nesting site. Active or suspected nests will be checked as necessary by the qualified biologist to confirm their status, but not to a degree to cause stress to the bird. If the qualified biologist determines that project activities are causing or contributing to stress or agitation of a bird resulting in flushing from a nest, or other signs of disturbance of a nesting bird at a level that has potential to cause nest failure, the buffer will be re-evaluated and revised or increased if necessary. In the case that a sufficient buffer cannot be established, a "no work" until the qualified biologist determines that the nest is no longer active or the young have fledged.</p>					

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BMP	<p>Stormwater Management. BMPs for the protection of stormwater quality would be implemented during project construction.</p> <p>Protecting Water Quality</p> <p>LADWP will implement measures to prevent sediment or materials deleterious to fish and wildlife resources from being deposited into or placed where they could be washed into the waterway. Fiber Rolls will be placed around the staging area and around any stockpiles kept on site. Other measures can be taken if site characteristics deem their applicability. These measures may include, but are not limited to, the installation of sediment curtains, certified weed free straw bales, certified weed free straw wattles, and/or silt fences depending on what is needed and appropriate for site-specific conditions. Maintenance activities will be avoided during rain events. These additional measures will be discussed in more detail for the project's Stormwater Pollution Prevention Plan (SWPPP).</p> <p>Erosion and Sediment Controls</p> <p>Water trucks will be utilized for dust control in areas of earth moving and vehicle traffic. All stockpiles will be protected from stormwater runoff by creating a perimeter using sandbags or fiber rolls. Stockpiles will be covered if there is a 50% chance of rain forecasted</p>	Prior to and during construction	LADWP			

	<p>or windy conditions to prevent wind erosion. A perimeter of fiber rolls will be placed around the staging area. Existing vegetation will be preserved where practicable. Vehicles and equipment will use designated entry and exit points. Construction entry and exit points will be stabilized using rumble plates to prevent soil tracking onto public roads. If sediment has been tracked out from the site, sediment will be swept and removed by the end of the same work day.</p> <p>Oil Spill Containment</p> <p>All LADWP operators will carry a suitable oil spill containment kit and be trained in its use. Personnel will follow existing procedures on the appropriate action to take when a spill occurs. Spills of any type will be cleaned immediately. If absorbent is used for spills, it will be removed promptly and in a proper manner. On-site supervisor will be notified of any spills, incase emergency response agencies or regulatory agencies need to be notified.</p> <p>Materials and Waste</p> <p>All materials will be stored in the staging area when not in use to minimize the potential for any pollutants to leave the project site. Diesel fuel, oil, hydraulic fluids, and other petroleum products and chemicals will be stored in water-tight containers and covered to prevent containers from coming in contact with rainwater, or stored in secondary</p>					
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	<p>containment (e.g., spill berms, decks, spill containment pallets). Waste containers (e.g., dumpsters or trash receptacles) must be covered during storm events and windy conditions to prevent loose trash or debris from being transported offsite by water or wind. Hazardous waste (e.g., anti-freeze, hydraulic fluids, gasoline, diesel fuel, waste oil) will be stored in sealed containers, provided cover or secondary containment, and labeled. Hazardous waste will be disposed of in accordance with the manufacturer's recommendations and applicable local, state, and federal requirements. There is no anticipated hazardous waste for this project. Portable toilets will be located upwind and uphill, located away from any waterways. Portable toilets will be secured to prevent tipping during windy conditions, and contained to prevent any spills or leaks from discharging (e.g., containment tray placed under the portable toilet).</p> <p>Vehicle and Equipment Maintenance</p> <p>LADWP will check and maintain on a daily basis any equipment or vehicles driven or operated within or adjacent to a waterway to prevent the leaking of oil or other materials that could be deleterious to fish and wildlife resources. LADWP will not perform any equipment maintenance within or near any waterway where oil or other materials deleterious to fish and wildlife resources could enter the waterway under any flow conditions. Drip pans or</p>					
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	<p>oil-absorbing mats will be placed under stored vehicles or equipment at the project site. Drip pans will be cleaned as necessary to maintain their effectiveness. All equipment and vehicles will be stored in the staging area fitted with appropriate perimeter controls. No vehicle or equipment washing will be done onsite. Additionally, rumble plates will be placed at the entrance of the staging/lay-down area for additional protection.</p> <p>Scheduling</p> <p>Work will not be conducted during heavy rains or storm events. Prior to finishing work before a storm event, the project site will be stabilized to reduce the potential for pollutants to leave the area (e.g., cover stockpiles, cover waste containers, secure any BMPs).</p>					
BIOLOGICAL RESOURCES						
BIO-1	<p>Construction Monitoring for Biological Resources. A qualified biologist shall be onsite at all times during project construction. The qualified biologist shall be familiar with the wildlife species and other sensitive biological resources known to occur in the general project area and be qualified to recognize potential construction effects on these resources. The qualified biologist shall coordinate with the construction foreman or supervisor daily for any biological resource issues that may arise. They shall also have the authority to immediately</p>	During construction	LADWP			

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	stop any activity that is not in compliance with the biological resources mitigation measures. All personnel on the project site shall immediately report all encounters with special-status species and other wildlife to the qualified biologist. If a desert tortoise or Mohave ground squirrel is observed during project activities, work shall immediately stop and the qualified biologist shall be contacted. The qualified biologist shall clear work to resume only after the animal has been allowed to leave the project area unimpeded.					
BIO-2	Survey for Rare Plants. Prior to project initiation, a qualified biologist shall conduct special-status plant clearance surveys at the times of year when plants will be both evident and identifiable. Reference sites for each of the four special-status species identified in the biological assessment shall be visited to assess whether those special-status plants are identifiable at the time the field surveys take place, and to have a search image, as well as an understanding of the habitat and natural community the plants occupy. If plants are not observed at the reference sites, then surveys shall be spaced throughout the growing season to determine what plants occur in the project area. Any special-status plants found in the project area will be counted and flagged or fenced for avoidance, as feasible.	Prior to and During Construction	LADWP			
BIO-3	Survey for Special-Status Wildlife. Prior to project initiation, a qualified biologist will conduct a protocol level survey, at the appropriate time of year, for each of the special-status species that have a likelihood to occur in the project area.	Prior to and During Construction	LADWP			

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	<p>Prior to ground disturbance or vegetation clearing within the proposed project site, a qualified biologist shall conduct preconstruction wildlife clearance surveys (no more than fourteen (14) days prior to site disturbing activities) where suitable habitat is present and will be directly impacted by construction activities and a 150-meter buffer.</p> <p>Desert tortoise surveys shall be conducted according to the U.S. Fish and Wildlife Service's 2019 "Preparing for Any Action that May Occur within the Range of the Mojave Desert Tortoise" for linear projects. The qualified biologist(s) shall be knowledgeable in identifying desert tortoises and their sign. During the survey, the qualified biologist(s) shall record any desert tortoises and sign that are observed in the survey area. No work shall proceed if a desert tortoise or a desert tortoise burrow are observed in areas subject to ground disturbance or vegetation clearance.</p> <p>Mohave ground squirrel surveys shall be conducted for Mohave ground squirrels and their sign. The qualified biologist(s) shall be knowledgeable in Mohave ground squirrel and their sign (e.g., burrows). During the survey, the qualified biologist(s) shall record any Mohave ground squirrels and sign that are observed in the survey area and 150-meter buffer. No work shall proceed if a Mohave ground squirrel or a Mohave ground squirrel burrow are observed in areas subject to ground disturbance or vegetation clearance.</p>					

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	<p>Burrowing owl surveys shall be conducted as described by the Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game (May 7, 2012). If no burrowing owl, active burrowing owl burrows, or sign are found, in the project area, then work can proceed. If a burrowing owl or active burrowing owl burrow is found in the 150-meter buffer, a qualified biologist shall determine if work can proceed without “take” occurring. If the qualified biologist determines that work cannot proceed, the California Department of Fish and Wildlife will be contacted for further direction before the project starts.</p> <p>Desert kit fox surveys shall consist of 10-meter wide transects that allow 100% visual coverage of the project area and buffer. No work shall proceed if an active den is in the project area. If potential dens are located in the project area, they shall be monitored by the qualified biologist. Trail cameras shall be used to assist with observation, but shall not be the sole basis upon which status is determined. If an active den is present in the 150-meter buffer around the project area, and the qualified biologist determines that “take” cannot be avoided, then work shall not proceed, and the California Department of Fish and Wildlife will be contacted for further direction before the project starts.</p> <p>CDFW shall be notified and consulted regarding the presence of any special-status wildlife species found on site during surveys prior to or during ground-disturbing construction</p>					

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	activities. If a federally-listed species, such as Desert Tortoise, is found prior to or during ground disturbance of the site, the USFWS shall also be notified.					
BIO-4	Protective Measures for Open Pits and/or Trenches. The qualified biologist shall inspect all open holes and trenches within the project area at the beginning, middle, and end of each day for trapped wildlife. To prevent inadvertent entrapment of the wildlife, the qualified biologist will oversee the covering of all excavated, steep-walled holes or trenches at the close of each working day by plywood or other barrier materials (e.g. temporary construction fencing) such that wildlife is unable to enter and become entrapped. The qualified biologist shall check trenches or holes for trapped animals prior to backfilling.	During Construction	LADWP			
BIO-5	Equipment and Material Staging. Spoil sites, project building material, and/or construction equipment shall be placed in previously disturbed areas lacking native vegetation or where habitat quality is poor. Storage shall not occur in drainages.	During Construction	LADWP			
BIO-6	Minimize Construction-Related Impacts. Project design shall minimize the temporary disturbance associated with construction. To the extent possible, disturbance of shrubs and surface soils due to stockpiling will be limited to that necessary to conduct work. Construction personnel and contractors shall be responsible for working around all shrubs within the construction zone to the extent feasible. Joshua trees and a suitable buffer area established by the qualified biologist shall be avoided during project construction.	During Construction	LADWP			

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	Before project initiation, the project area boundaries shall be clearly delineated with fencing, stakes, or flags. All ground-disturbing activities shall be confined to this area to limit the amount of disturbance.					
BIO-7	<p>Personnel Guidelines and Traffic Controls. The following precautionary measures shall be implemented during construction to protect wildlife resources:</p> <ul style="list-style-type: none"> • During construction all trash and food-related waste shall be placed in containers that can be securely covered or contained in vehicles, and removed daily from the site to prevent the attraction of wildlife and Common Ravens (<i>Corvus corax</i>) to the project area. • All project generated debris, materials and rubbish shall be disposed of offsite in a legal manner. • Construction personnel shall not feed wildlife. • Project-related vehicle and equipment traffic shall be confined to established roads and the delineated project area; cross-country(off-road) vehicle and equipment travel outside designated work areas shall be prohibited. • The speed limit when traveling on dirt access routes shall not exceed 20 miles per hour in order to see, identify, and avoid wildlife on or traversing the project 	During Construction	LADWP			

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	<p>area and roads. Workers shall be trained to comply with the speed limit, and enforcement provisions shall apply. If wildlife is encountered, drivers shall stop, wait for the animal to move off the road, and immediately notify the qualified biologist.</p> <ul style="list-style-type: none"> Workers shall inspect for wildlife under vehicles and equipment before the vehicles and equipment are moved. If a desert tortoise or Mohave ground squirrel is under a vehicle or equipment, the qualified biologist shall ensure the animal moves out of the area on its own before the vehicle or equipment is moved. 					
BIO 8	Weed Management and Control. Containment measures shall be implemented to prevent the introduction and spread of weed species in the project area. These measures include limiting disturbance areas during construction to the minimum required to perform work; limiting ingress and egress to defined routes; ensuring vehicles are inspected for plant debris and washed prior to first entering the project area; and closely monitoring the types of materials brought on site to minimize the potential for weed introduction and/or translocation to another site.	During Construction	LADWP			

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GEOLOGY AND SOILS						
GEO-1	<p>Paleontological Monitoring and Mitigation Plan. The Project Paleontologist shall develop and oversee the implementation of a Paleontological Monitoring and Mitigation Plan tailored to the project plans that provides for paleontological monitoring of earthwork and ground disturbing activities into undisturbed geologic units with high paleontological potential anticipated to be present at depths of greater than 13 feet, to be conducted by a paleontological monitor meeting industry standards (Murphey et al. 2019). Monitoring recommendations are as follows:</p> <ul style="list-style-type: none">• Paleontological spot checks shall be conducted by a qualified paleontological monitor for initial ground disturbance over 13 feet in depth. Should older alluvial sediments with high paleontological potential be identified during spot checks, full time monitoring will be implemented.• The Project Paleontologist may alter the frequency of monitoring or spot checks, based on subsurface conditions.	Prior to Construction	LADWP			
GEO-2	<p>Worker's Environmental Awareness Program. The Project Paleontologist shall develop a Worker's Environmental Awareness Program training that communicates requirements and procedures for the inadvertent discovery of paleontological resources during construction, to be delivered by the paleontological monitor to the construction crew prior to the onset of ground disturbance.</p>	Prior to Construction	LADWP			

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GEO-3	Paleontological Discoveries. In the event that paleontological resources are encountered during construction activities, all work shall stop in the immediate vicinity of the finds while the paleontological monitor documents the find. The Project Paleontologist shall assess the find. Should the Project Paleontologist assess the find as significant, the find shall be collected and curated in an accredited repository along with all necessary associated data and curation fees.	During Construction	LADWP			
TRIBAL CULTURAL RESOURCES						
TCR-1	<p>Tribal Notification. In the event that an archaeological resource inadvertently discovered during project construction is determined to be potentially of Native American origin based on the initial assessment of the find by a qualified archaeologist pursuant to California Public Resources Code Section 21083.2(i), the Native American tribes that consulted on the proposed project pursuant to California Assembly Bill 52 shall be notified and be provided information about the find to allow for early input from the tribal representatives with regards to the potential significance and treatment of the resource.</p> <p>If, as a result of the resource evaluation and tribal consultation process, the resource is considered to be a tribal cultural resource in accordance with California PRC Section 21074, determined to be eligible for inclusion in the California Register of Historic Resources or a local register of historical resources or determined to be significant by LADWP (the CEQA lead agency), the qualified archaeologist shall monitor all remaining ground-disturbing activities in the area of the resource, and a tribal</p>	During Construction	LADWP			

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	<p>monitor from a consulting Native American tribe shall be invited to monitor the ground-disturbing activities. The tribal monitor shall be ancestrally affiliated with the project area and qualified by their tribe to monitor tribal cultural resources.</p> <p>The input of all consulting tribes shall be taken into account in the preparation of any required treatment plan for the resources prepared by the qualified archaeologist. Work in the area of the discovery may not resume until evaluation and treatment of the resource is completed and/or the resource is recovered and removed from the site. Construction activities may continue on other parts of the construction site while evaluation and treatment of the resource takes place.</p>					
TCR-2	<p>Tribal Monitoring. A tribal monitor shall be invited to monitor project-related ground disturbing activities that have a reasonable likelihood of encountering tribal cultural resources. The tribal monitor shall be ancestrally affiliated with the project area and qualified by their tribe to monitor tribal cultural resources. Before initiating ground-disturbing activities, the tribal monitor shall conduct a brief awareness training session for the benefit of all construction workers and supervisory personnel. The training, which could be held in conjunction with the project's initial on-site safety meeting, shall explain the importance of and legal basis for the protection of significant tribal cultural resources. Each worker shall be notified of the proper procedures to follow in the event that tribal cultural resources or human remains are uncovered during ground disturbing activities. These procedures include work</p>	During Construction	LADWP			

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	curtailment or redirection, and immediately contacting the site supervisor and LADWP's Environmental Planning and Assessment Group.					